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What SOAR Providers Need to Know About Representing Immigrants and Non-Citizens with the Social Security Administration

PRESENTED BY:

SAMHSA SOAR TECHNICAL ASSISTANCE CENTER
POLICY RESEARCH ASSOCIATES, INC.

UNDER CONTRACT TO:

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

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Agenda

Welcome

- Kristin Lupfer, Project Director, SAMHSA SOAR TA Center, Delmar, New York

SSA Citizen and Residency Eligibility Criteria and Resources

- Lee Alviar, Dallas Regional Public Affairs Specialist, Social Security Administration, Texas

Understanding Cultural Issues Related to Mental Health Access and Treatment

- Sarah Nagy, Special Needs Care Coordinator, International Rescue Committee -Baltimore Resettlement Center, Maryland

Lessons from the Field: Using the SOAR Process and Other Useful Tips When Working with Immigrant Groups

- Gerardo Benavides, Disability Assistance Outreach Specialist, Health Care for the Homeless, Baltimore, Maryland

Questions & Answers

Learning Objectives

- Understand how immigration, refugee and residency status impacts eligibility for SSA benefits.
- Understand the cultural concepts of mental health and how these difference influences access to treatment and other services.
- Understand documentation required by SSA, specific to non-citizens, and tips on obtaining such evidence.
- Learn about available resources to assist your efforts when providing immigrant services.

Welcome

KRISTIN LUPFER, LMSW
PROJECT DIRECTOR,
SAMHSA SOAR TA CENTER
POLICY RESEARCH ASSOCIATES, INC.

Poll Question #1

■ Is your agency providing SOAR representation as a part of your overall immigrant services?

➤ Yes

➤ No

➤ Unsure

Understanding SSA Eligibility Criteria for Immigrant and Non-Citizen Groups

ROSALIE “LEE” ALVIAR
Social Security Administration
DALLAS REGIONAL PUBLIC AFFAIRS SPECIALIST
DALLAS, TEXAS

Social Security

www.socialsecurity.gov



Social Security's Disability Definition:

A medical condition or combination of impairments preventing substantial work for at least 12 months, or expected to result in death. The determination also considers age, education & work experience.



Who Can Get Disability Benefits?

Worker

- **Must have paid into Social Security five out of last 10 years**
- **For younger workers, under age 31 less work is required**



Who Can Get Disability Benefits?

Child

- **Not married under age 18** (under 19 if still in high school)
- **Not married and disabled before age 22**

Spouse

- **At age 62**
- **At any age if caring for child under 16 or disabled**
- **Divorced spouses may qualify**



Supplemental Security Income (SSI)

Who Can Get SSI?

- Age 65 or older
- Blind—any age
- Disabled—any age
- Limited income
- Limited resources



- Noncitizens must meet special requirements to qualify

CITIZEN / NON-CITIZEN STATUS

To get SSI, you must be:

- a citizen or national of the United States; or
- a non-citizen who meets the alien eligibility criteria under the 1996 legislation and its amendments.

WHEN IS A NON-CITIZEN ELIGIBLE FOR SSI?

Beginning August 22, 1996, most non–citizens must meet two requirements to be eligible for SSI:

- the non–citizen must be in a “qualified alien” category, and
- meet a “condition” that allows qualified aliens to get SSI benefits.

A non–citizen must also meet all of the other requirements for SSI eligibility,

- including the limits on income, resources, etc.

WHO IS A “QUALIFIED ALIEN”?

- There are seven categories of non–citizens who are qualified aliens.
- You are a "qualified alien" if the Department of Homeland Security (DHS) says you are in one of these categories:

WHO IS A “QUALIFIED ALIEN”?

1. Lawfully admitted for Permanent Residence (LAPR) in the U.S., including "Amerasian immigrant" as defined in P.L. 100-202, with a class of admission AM-1 through AM-8;
2. Granted conditional entry under Section 203(a)(7) of the Immigration and Nationality Act (INA) as in effect before April 1, 1980;
3. Paroled into the U.S. under Section 212(d)(5) of the INA for a period of at least one year;
4. Refugee admitted to the U.S. under Section 207 of the INA;
5. Granted asylum under Section 208 of the INA;

WHO IS A “QUALIFIED ALIEN”?

6. Deportation is being withheld under Section 243(h) of the INA as in before April 1,1997, or removal is being withheld under Section 241(b)(3) of the INA;
 7. A “Cuban or Haitian entrant” under Section 501(e) of the Refugee Education Assistance Act of 1980 or in a status that is to be treated as a “Cuban/Haitian entrant” for SSI purposes.
- In addition, you can be a “deemed qualified alien” if, under certain circumstances, you, your child, or your parent has been subjected to battery or extreme cruelty by a family member while in the United States.

UNDER WHAT CONDITIONS IS A “QUALIFIED ALIEN” ELIGIBLE FOR SSI?

- If you are in one of the seven "qualified alien" categories listed above, or have been determined to be a “deemed qualified alien” because you have been subjected to battery or extreme cruelty, you may be eligible for SSI benefits if you have limited income and resources and are aged, blind, or disabled and also meet one of the following conditions:
 1. You were receiving SSI and lawfully residing in the U.S. on August 22,1996.
 2. You are a Lawfully Admitted for Permanent Residence (LAPR) with 40 qualifying quarters of earnings. Work done by your spouse or parent(s) may also count toward the 40 quarters of earnings, but only for getting SSI.
- We cannot count quarters of earnings earned after December 31, 1996, if you, your spouse, or your parent(s) worked or received certain benefits from the U.S. government based on limited income and resources during that period.

UNDER WHAT CONDITIONS IS A “QUALIFIED ALIEN” ELIGIBLE FOR SSI?

- **IMPORTANT:** If you entered the U.S. for the first time on or after August 22, 1996, then you may not be eligible for SSI for the first five years as a LAPR, even if you have 40 qualifying quarters of earnings.

- 3. You are currently on active duty in the U.S. Armed Forces, or you are an honorably discharged veteran and your discharge is not because you are an alien. This condition may also apply if you are the spouse, widow(er), or dependent child of certain U.S. military personnel.

- 4. You were lawfully residing in the United States on August 22, 1996, **and** you are blind or disabled.

UNDER WHAT CONDITIONS IS A “QUALIFIED ALIEN” ELIGIBLE FOR SSI?

5. You may receive SSI for a maximum of 7 years from the date DHS granted you qualified alien status in one of the following categories, and the status was granted within seven years of filing for SSI:

- Refugee admitted to the United States (U.S.) under section 207 of the Immigration and Nationality Act (INA);
- Asylee admitted to the U.S. under section 208 of the INA;
- Alien whose deportation was withheld under section 243(h) of the INA or whose removal is withheld under section 241(b)(3) of the INA;
- Admitted as a "Cuban or Haitian entrant"- as defined under section 501(e) of the Refugee Education Assistance Act of 1980 or in a status that is to be treated as a "Cuban/Haitian entrant" for SSI purposes; or
- "Amerasian immigrant" pursuant to P.L. 100-202, with a class admission of AM-1 through AM-8.

EXEMPTION FROM THE AUGUST 22, 1996 LAW FOR CERTAIN NON-CITIZEN INDIANS

- Certain categories of non-citizens may be eligible for SSI and are not subject to the August 22, 1996, law. These categories include:
 - American Indians born in Canada who were admitted to the United States under Section 289 of the INA; or
 - Non-citizen members of a Federally recognized Indian tribe who fall under Section 4(e) of the Indian Self-Determination and Education Assistance Act.

ADDITIONAL ELIGIBLE ALIEN CATEGORIES

- **Victims of Severe Forms of Human Trafficking:** You may be eligible for SSI under certain circumstances if the Department of Health and Human Services' **Office of Refugee Resettlement** and the Department of Homeland Security determine that you meet the requirements of the Trafficking Victims Protection Act of 2000.
- **Iraqi/Afghan Special Immigrants:** You may also qualify for SSI for a period of seven years if you are an Iraqi or Afghani special immigrant admitted to the United States.

What is Residency?

To get SSI, you must:

- Live in the U.S., or the Northern Mariana Islands with the intent to continue living within the geographic limits; or
- Be a child living with a parent in the military service assigned to permanent duty ashore anywhere outside of the U.S.; or
- Be a student temporarily abroad for the purpose of conducting studies as part of an educational program.

Documentation Options

What you should give us. You can prove that you are a citizen or a national of the United States by giving us—

- (1) A certified copy of your birth certificate which shows that you were born in the United States;
- (2) A certified copy of a religious record of your birth or baptism, recorded in the United States within 3 months of your birth, which shows you were born in the United States;
- (3) Your naturalization certificate;

Documentation Options cont.

- (4) Your United States passport;
- (5) Your certificate of citizenship;
- (6) An identification card for use of resident citizens in the United States (Immigration and Naturalization Service Form I-197); or
- (7) An identification card for use of resident citizens of the United States by both or naturalization of parents (INS Form I-179).

What if Claimant Cannot Provide Documentation?

If you cannot give us any of the documents listed), we may find you to be a citizen or a national of the United States if you—

- (1) Explain why you cannot give us any of the documents; and
- (2) Give us any information you have which shows or results in proof that you are a citizen or a national of the United States. The kind of information we are most concerned about shows—
 - (i) The date and place of your birth in the United States;
 - (ii) That you have voted or are otherwise known to be a citizen or national of the United States; or
 - (iii) The relationship to you and the citizenship of any person through whom you obtain citizenship.

ADDITIONAL SSA Resources

- Immigration

- <https://www.ssa.gov/people/immigrants/>

- SSA Publication: Supplemental Security Income (SSI) for Non-Citizens

- <https://www.ssa.gov/pubs/EN-05-11051.pdf>

- SSI Spotlight on *SSI Benefits for Aliens*

- <https://www.ssa.gov/ssi/spotlights/spot-non-citizens.htm>

my Social Security

Your Online Account ... Your Control ...

www.socialsecurity.gov/myaccount



***my* Social Security is an easy-to-access, easy-to-use portal to view and update some of your own Social Security information.**

Who Can Create a *my* Social Security Account?

You must be at least 18 years old and have:



my Social Security 

Your Online Account ... Your Control ...

www.socialsecurity.gov/myaccount



Create your Social Security account now:

Access your *Social Security Statement* to check your earnings and get your benefit estimates.

If you receive benefits, you also can:

- Get your benefit verification letter;
- Change your address; and
- Start or change your direct deposit.



- A valid E-mail address;
- A Social Security number; and
- A U.S. mailing address.

my Social Security

Getting Started

How to create a *my* Social Security account

Step 1

Visit www.socialsecurity.gov/myaccount and select: *my* Social Security



Step 2

Select “Create An Account.”

New Users

You must be able to verify some information about yourself and:

- Have a valid E-mail address,
- Have a Social Security number,
- Have a U.S. mailing address, and
- Be at least 18 years of age.

You can create an account only to gain access to your own personal information. You cannot use this online service to access the records of a person:

- With whom you have a business relationship;
- For whom you are a representative payee; or
- For whom you are an appointed representative.

Unauthorized use of this service may subject you to criminal or civil penalties, or both.

[Create An Account](#) [Learn More](#)

Existing Users

Username: [Forgot Username](#)

Password: [Forgot Password](#)

[Sign in](#)

my Social Security

Getting Started

How to create a *my* Social Security account

Step 3

Provide some personal information to verify your identity.

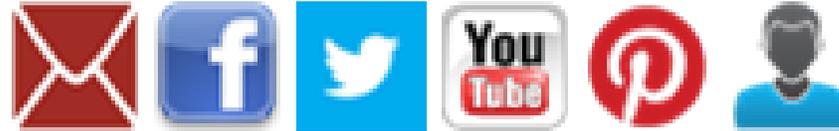
The screenshot shows the 'Social Security' website header with the logo and tagline 'The Official Website of the U.S. Social Security Administration'. Below the header is the 'Create an Account' section. A progress bar indicates three steps: '1 Verify your Identity' (active), '2 Secure your Identity', and '3 Create your Account'. The main content area is titled 'Please tell us who you are' and contains the following text: 'Your Name: As shown on your Social Security card.' Below this are four input fields labeled 'First', 'M.I.', 'Last', and 'Suffix'.

The screenshot shows the 'Social Security' website header with the logo and tagline 'The Official Website of the U.S. Social Security Administration'. Below the header is the 'Create an Account' section. A progress bar indicates three steps: '1 Verify your Identity', '2 Secure your Identity', and '3 Create your Account' (active). The main content area is titled 'Please create your account details' and contains the following text: 'Username:' followed by an input field.

Step 4

Choose a username and password to create your account.

Social Security Embraces Social Media



- **Discover us on Facebook, Twitter, YouTube, and Pinterest**
- **View popular agency webinar videos at *www.socialsecurity.gov/webinars***
- **Sign-up to get E-mails and SMS/Texting when we update popular *www.socialsecurity.gov* web pages**

Go Mobile with Social Security

- **On May 3, we launched a mobile version of our website for smartphone users.**
- **Learn about our most popular programs, services, publications, frequently asked questions, social media, and more.**
- **All you need to know is *www.socialsecurity.gov* on your smartphone.**



Contact Information

Rosalie “Lee” Alviar

Social Security Administration

Dallas Regional Public Affairs Officer

Phone: (214) 767-1310

Create your own **my** Social Security account at
www.socialsecurity.gov/myaccount

Poll Question #2

All non-citizens cannot receive disability benefits?

➤ True or False

Understanding Cultural Issues Related to Mental Health Access and Treatment

SARAH NAGY
SPECIAL NEEDS CARE COORDINATOR
INTERNATIONAL RESCUE COMMITTEE
BALTIMORE RESETTLEMENT CENTER, MARYLAND

Introduction: International Rescue Committee, Baltimore



Baltimore Resettlement Center

The BRC is an initiative of the MD Office for Refugees and Asylees (MORA)

Partner agencies include:

- International Rescue Committee
- Baltimore Medical Systems
- Baltimore City Community College
- Baltimore City Department of Social Services



Who is a Refugee?

Refugees flee due to well-founded fear of persecution for reasons of:

- Race
- Nationality
- Political Opinion
- Religion
- Social Group

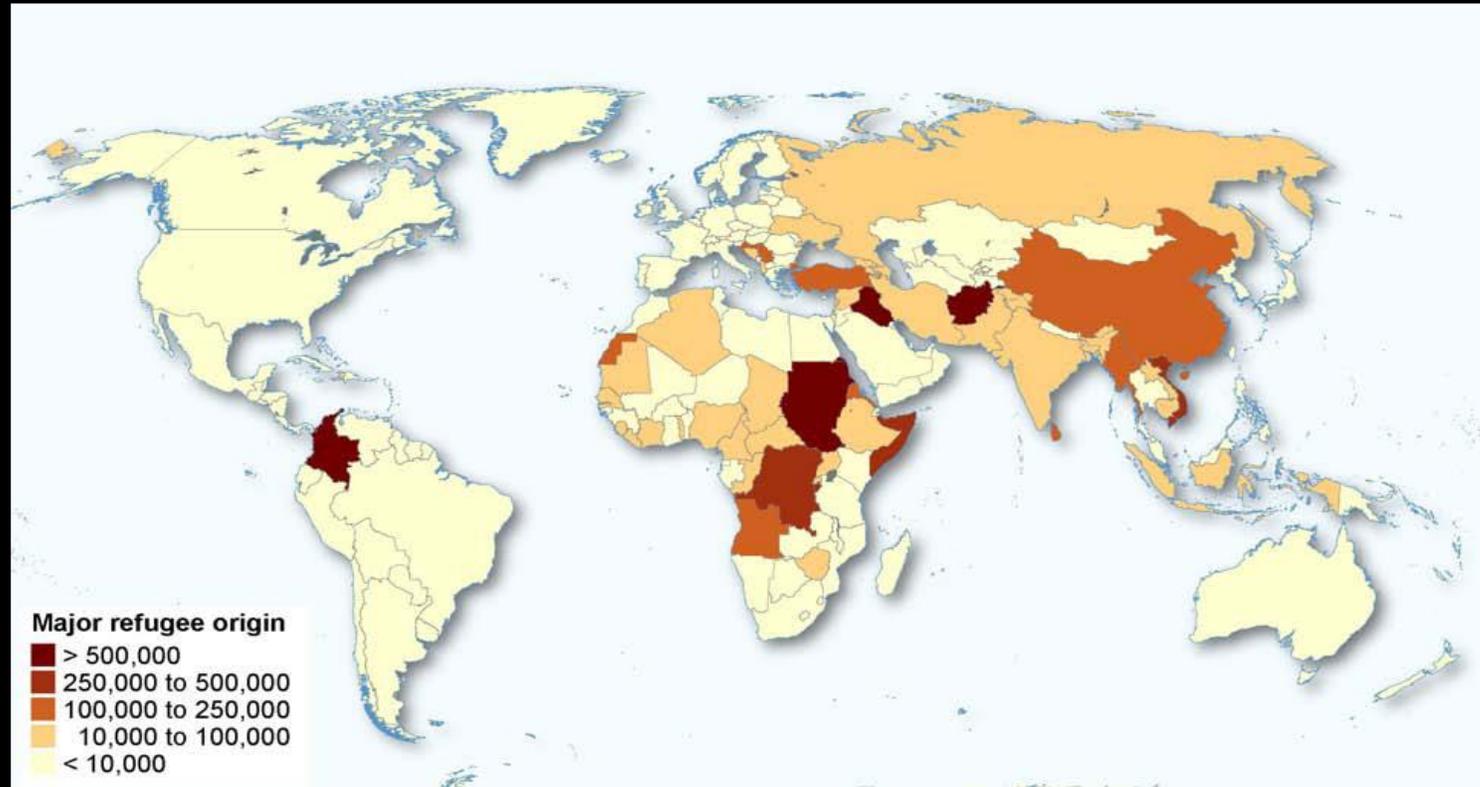


As defined by the UN, a refugee is a person who:

"owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country..."

- 1951 United Nations Convention Relating to the Status of Refugees

Which Countries are Creating Refugees?



Fleeing



- ❑ What situation made them leave their country?
- ❑ How did they leave their country?
- ❑ How long did it take to leave their country?
- ❖ This period of time is most associated with PTSD

What happens after refugees flee?

MAJOR POPULATIONS:

- Total, gender and top 5 refugee nationalities resettled in FY15: **833**, F **375**:M **458** - Burma, Congo, Eritrea, Sudan and Afghanistan.
- Other humanitarian immigrants: **284** (multiple nationalities)

What happens after refugees flee?

- The International Rescue Committee (IRC) in Baltimore helps refugees and other humanitarian immigrants become self-sufficient and integrated in communities across central Maryland and strengthens the social and economic health of Baltimore City.
- We've now helped almost **10,000** refugees and asylees since 1999.

Refugee's Health Journey

1. Overseas medical screening (Refugees only)
 - Biodata (often incomplete) is forwarded to IRC HQ and local offices
2. Refugee Health Assessment @ BMS/Health Dept
 - Within 30-90 days of arrival / asylum
3. Medicaid approval
 - Approximately 4 weeks after arrival / asylum
4. Medicaid coverage for 8 months after arrival / asylum

Overseas Medical Screening

- Conducted by International Organization of Migration (IOM) or by a local panel of physicians:
 - ✓ Complete medical review
 - ✓ Complete physical exam
 - ✓ Mental health evaluation
 - ✓ HIV & STDs screening (clients 15 years and older)

Refugee Health Concerns and Risk Factors:



Photo: The IRC

- Forced displacement
- Extensive traumatic experiences during conflicts and while living in camps, including torture, violence, physical/sexual abuse, domestic violence.
- Lack of access to primary and dental healthcare

Refugee Health Concerns and Risk Factors:



Photo: The IRC

- Severe chronic malnutrition and vitamin deficiencies
- Substantial mental health burden
- Limited basic health and education services

Refugee Health Concerns

- Complicated healthcare & insurance systems
- Limited preventive health care coverage (i.e. dental, vision)
- Stress of new environment
- Lack of cultural responsiveness among providers



Photo: The IRC

Refugees Have More Mental Health Issues

- ***Not Mental Illness***
- ***Higher rates of depression***
- ***Higher rates of anxiety problems, including post-traumatic stress disorder***
- ***In some case, like PTSD, 10x the rate of the average population***
- ***Torture has been estimated at 5 to 35% depending on population***

Resettlement



❖ Often sited
as the
BIGGEST
stressor

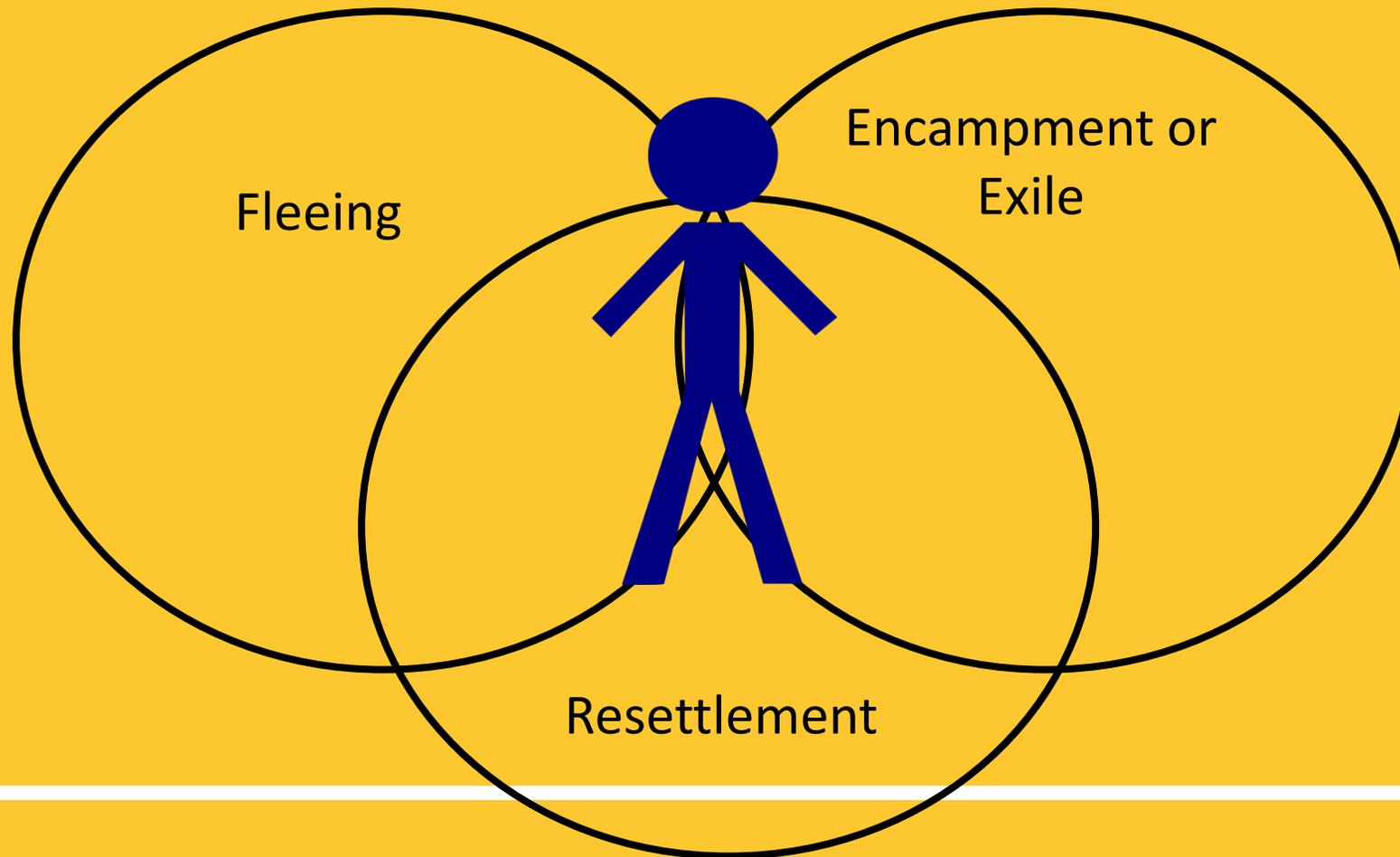
Encampment on Exile



- What conditions?
- For how long?
- How did they cope?

❖ This is more associated with depression than PTSD, but PTSD can occur due to camp violence

Triple Trauma Paradigm



Seeking Treatment: What Mental Health Means in Client Populations

- Different experience with the Mental Health system. (psychiatric hospitals, oppressive use of system, etc.)
- Different repercussions of having a “mental health” issue.
- No experience with effective treatment.

Problems/Obstacles: Language Access

- Language barriers are problematic in mental health care because much of mental health diagnosis and treatment relies on direct communication with the client.
- While immigrant populations may be likely to seek help for mental health problems from primary care providers, their mental health concerns are likely to go unnoticed.
- Language barriers may make it particularly difficult for primary care providers to meet patients' mental health needs.

Title VI of the Civil Rights Act of 1964

- According to Title VI of the Civil Rights Act of 1964, any organization that receives federal funds is obligated to provide an interpreter at no cost to those who cannot communicate effectively in English.
- **You may not require a non-English speaker to bring his own interpreter.**

For more information about Title VI, Please call the Department of Justice Office of Civil Rights at 1-800-368-1019.

Working With Interpreters: Cultural Bias

- If the problem the individual is facing has its own implications within the community, the interpreter may sometimes transfer his opinions on the situation in the way he or she interprets.
- This sometimes causes the interpreter to offer unsolicited advice to the client that is not understood by the caseworker or provider.

Thank You!

Contact Information

Sarah Nagy

Special Needs Care Coordinator

International Rescue Committee

Baltimore Resettlement Center

3516 Eastern Avenue, Baltimore MD 21224

Phone: (410) 558-3172

Email: Sarah.Nagy@rescue.org

Final Poll Question #3

Which of the following are psychiatric disorders more prevalent in some migrant populations?

- a) Post Traumatic Stress Disorder(PTSD),
- b) Somatic pain
- c) Depression more prevalent among refugee populations—those who have experienced, war, famine, exile, torture
- d) Schizophrenia—higher rates in second generation immigrants
- e) All of the above

Lessons From the Field: Using the SOAR Process with Immigrant Populations

GERARDO BENAVIDES
DISABILITY BENEFITS OUTREACH SPECIALIST
HEALTHCARE FOR THE HOMELESS
BALTIMORE, MARYLAND

What keeps immigrants from accessing mental health services?

Employment/Priorities: lack of mobility/being able to take time off to address MH issues considering primary focus is on economic stability

- Dealing with somatic issues is of primary importance
- Agency requirements- Is there the capacity to address MH issues?

What keeps immigrants from accessing mental health services?

Language:

- Lack of language services/ignorance from the patient or provider concerning what languages are available
- Reliability of language line interpreters
 - Medical interpretation requires different skill-set; does the line provide this?
 - Capacity building for in-house interpreters due to heavy demand

What keeps immigrants from accessing mental health services?

Stigmatization:

- Feeling provider will have lack of cultural understanding
- Desire to deal with issues on one's own
- Adaptations of the family structure and subsequent intergenerational acculturation/understanding
- Cultural Taboos associated with mental illness

What keeps immigrants from accessing mental health services?

PROVIDERS NEED GREATER CONTEXT :

- Understanding origins/exposures to certain illnesses; PRE-MIGRATION/MIGRATION
 - Culture-can affect reaction to symptoms, explanations, coping, adherence to treatment, relationships with family and providers
 - Somatic symptoms and pain can detract from underlying psychiatric illness
- How does assimilation into a new culture and environment affect the mental health of immigrants? POST-MIGRATION
 - Multi-faceted treatment options: ask about traditional treatments

Engagement Strategies

Work with families and community organizations to:

- Increase levels of support for the individual and strip mental health taboo

Work with interpreters to:

- Be prepared and focused with mental health knowledge
- Maintain confidentiality
- Maintain rapport with same interpreter over time

Challenges Found While Serving Immigrants Filing for SSA Benefits

- Lack of cultural competency from front-line staff
- “Family” interpreters: conflict of interest, needing to provide own interpreters
- Processing of documentation at State Department can be a time-consuming process

Internet Resources

- <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3168672/>
- <http://www.ncbi.nlm.nih.gov/books/NBK43571/>
- <https://www.scu.edu/ethics/focus-areas/bioethics/resources/culturally-competent-care/culturally-competent-care-for-latino-patients/>

Internet Resources cont.

The National Immigration Law Center is a great resources in regards to what federal programs immigrants qualify for and under what circumstances:

➤ <https://www.nilc.org/issues/economic-support/overview-immeligfedprograms/>

Finally, the SOAR website also has highly relevant and pertinent information with regards to working with immigrant populations:

➤ <https://soarworks.prainc.com/article/immigration-and-residency>

Contact Information

Gerardo Benavides

Disability Assistance Outreach Specialist

Health Care for the Homeless

421 Fallsway, Baltimore, Maryland 21202

Phone: (443)703-1118

[Email: gbenavides@hchmd.org](mailto:gbenavides@hchmd.org)

Questions and Answers

Facilitated By:

SAMHSA SOAR Technical Assistance Center

Policy Research Associates, Inc.

- *Please type your question into the Q&A panel located underneath the participant tab, or*
- To ask a question by phone, please raise your hand by clicking the hand icon in the participant pod. We will unmute you so you can ask your question.

Keep Up The Great Work!

You are **transforming** lives
one application at a time.

Contact Us

<http://soarworks.prainc.com>

SAMHSA SOAR TA Center
345 Delaware Avenue
Delmar, New York 12054
(518) 439 – 7415

soar@prainc.com

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